

AO 91 (Rev. 11/11) Criminal Complaint

Agent:

AUSA: Susan Fairchild
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UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Juan Carlos MARTINEZ-MONTANEZ

Case No. Case: 2:25-mj-30204
Assigned To : Unassigned
Assign. Date : 4/3/2025
Description: CMP USA V.
MARTINEZ-MONTANEZ (DJ)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 8, 2025 in the county of Oakland in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

8 U.S.C. 1326(a)

Offense Description

Unlawful Re-Entry Following Removal from the United States

This criminal complaint is based on these facts:

On or about March 8, 2025, in the Eastern District of Michigan, Southern Division, Juan Carlos MARTINEZ-MONTANEZ, an alien from Mexico, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about May 10, 2017, near Alexandria, Louisiana, and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a).


☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

April 3, 2025

Date: _____

City and state: Detroit, MI


Complainant's signature

Michael Everson, Border Patrol Agent

Printed name and title


Judge's signature

Kimberly Altman, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Michael Everson, declare the following under penalty of perjury:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol. I have been employed in this capacity since December 2011. Currently, I am assigned to the Detroit Border Patrol Station. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Border Patrol Agents and record checks of law enforcement databases. I have also reviewed material from the official Immigration file and system automated data relating to Juan Carlos MARTINEZ-MONTANEZ, which reveals the following:
2. MARTINEZ-MONTANEZ is a thirty-two-year-old male, native and citizen of Mexico, who last entered the United States at or near an unknown place, on or about an unknown date without being admitted, inspected, or paroled by an Immigration Officer. MARTINEZ-MONTANEZ is known to use the alias names of Juan MARTINEZ and Juan Carlos MARTINEZ.
3. On or about March 24, 2014, MARTINEZ-MONTANEZ was arrested by Oakland County Sheriffs near Pontiac, Michigan for Operating While Intoxicated (OWI) with an occupant less than 16 years old. He was arrested under the alias name of Juan Carlos MARTINEZ. Currently there is an open arrest warrant for this charge.
4. On or about March 25, 2014, MARTINEZ-MONTANEZ was arrested by Immigration and Customs Enforcement (ICE) and was processed for a Notice to Appear (NTA).
5. On or about May 13, 2014, MARTINEZ-MONTANEZ was granted a Voluntary Departure (VD) to expire by May 27, 2014. His subsequent VD from the United States to Mexico was verified on May 22, 2014, through Detroit, Michigan.
6. On or about April 6, 2017, MARTINEZ-MONTANEZ was arrested by Border Patrol Agents near Pontiac, Michigan. He was processed for NTA.
7. On or about April 20, 2017, MARTINEZ-MONTANEZ was ordered removed by an Immigration Judge. He was subsequently removed from the

United States to Mexico on May 10, 2017, through Alexandria, Louisiana.

8. On June 22, 2024, Oakland County Sheriffs were dispatched to an address in Pontiac, Michigan for an alleged physical altercation. Upon arrival on scene, a deputy met with one of the victims, "JN". JN is the girlfriend of MARTINEZ-MONTANEZ. JN's two brothers also claimed to have been assault by MARTINEZ-MONTANEZ. JN stated that she and her two brothers were assaulted by her boyfriend Juan Carlos MARTINEZ-MONTANEZ at that location. She also stated that she was assaulted the previous night by MARTINEZ-MONTANEZ at a residence at which they shared a room. At the time of the assault, JN was 5 months' pregnant. MARTINEZ-MONTANEZ was aware of the pregnancy and the child biologically belongs to MARTINEZ-MONTANEZ. JN claims that MARTINEZ-MONTANEZ choked her by gripping her neck with both of his hands, then he threw her onto the floor. He stated that he was going to kill her. He kicked her in the head approximately 10 times, then he began to choke her again when she began to lose consciousness. The police report includes pictures of bruising on her left eye, bruising on both upper arms and marks around her neck. MARTINEZ-MONTANEZ fled the scene before police arrived and has not yet been arrested. There is an active felony warrant for his arrest.
9. On or about March 8, 2025, the Detroit Border Patrol Station Intel-Driven Group (DIG) received intelligence information suggesting that MARTINEZ-MONTANEZ was currently living at a residence in Pontiac, Michigan. Following surveillance, they encountered MARTINEZ-MONTANEZ when he arrived in a vehicle. Agents visually verified MARTINEZ-MONTANEZ from immigration photos. MARTINEZ-MONTANEZ stepped out of the vehicle and walked towards the front door. Border Patrol Agents- who were wearing their protective vests with a bright yellow Border Patrol patch, and the wording "Federal Agent" clearly marked on them, started walking towards MARTINEZ-MONTANEZ. Once MARTINEZ-MONTANEZ saw the agents, he ran to the front door to enter the house before agents were able to speak with him.
10. Review of the Alien File (A# xxx xxx 212) for Juan Carlos MARTINEZ-MONTANEZ and queries in Department of Homeland Security databases confirm no record exists of MARTINEZ-MONTANEZ obtaining the express permission from the Attorney General or the Secretary of the Department of

Homeland Security to re-apply for admission to the United States following his removal on May 15, 2017.

11. Based on the above information, I believe there is probable cause to conclude that Juan Carlos MARTINEZ-MONTANEZ, is an alien who was found in the United States after removal, without obtaining the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to re-apply for admission into the United States in violation of Title 8, United States Code, Section 1326(a).



Michael Everson, Border Patrol Agent
U.S. Department of Homeland Security

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Honorable Kimberly Altman
United States Magistrate Judge

April 3, 2025